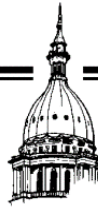




**Senate Fiscal Agency**  
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BILL



ANALYSIS

**Telephone: (517) 373-5383**  
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Senate Bill 411 (Substitute S-1 as reported)  
Senate Bill 412 (as reported without amendment)  
Sponsor: Senator Tonya Schuitmaker  
Committee: Judiciary

### **CONTENT**

Senate Bill 411 (S-1) would amend the Commission on Law Enforcement Standards Act to do the following:

- Codify the 17-member Michigan Commission on Law Enforcement Standards (MCOLES), which was created by an Executive Reorganization Order.
- Revise provisions that require MCOLES to establish law enforcement officer minimum standards.
- Require MCOLES to grant a license, rather than certification, to a person who meets the minimum standards and would be employed as a law enforcement officer.
- Require MCOLES to promulgate rules requiring mandatory revocation of a law enforcement officer license under certain circumstances and allowing for suspension of a license under certain circumstances.
- Specify that a petition for judicial review of a final decision or order of MCOLES could be adjudicated only in the Circuit Court for Ingham County, and the Commission would have standing in that court for an action to compel compliance with the Act.
- Allow MCOLES to use money from the Law Enforcement Officers Training Fund for the Commission's administration expenses, and otherwise revise provisions pertaining to the Fund.
- Require a licensed law enforcement officer and others to inform MCOLES when a licensed officer was charged with a particular offense or was subject to a personal protection order.
- Require MCOLES to promulgate rules establishing minimum standards for background investigations; and require an employing agency to conduct a thorough background investigation before employing an applicant.
- Allow reasonable fees to be charged to cover actual costs of an employer in conducting a background investigation.

The bill also would rename the Act as the "Michigan Commission on Law Enforcement Standards Act".

Senate Bill 412 would amend Public Act 302 of 1982, which created the Michigan Justice Training Commission and the Michigan Justice Training Fund, to do the following:

- Delete and replace most of the provisions of the Act, regarding use of the Michigan Justice Training Fund.
- Require MCOLES to pay law enforcement distributions to law enforcement agencies, and allow those agencies to spend and return those funds as specified in the bill.
- Allow MCOLES to distribute grant awards to grant recipients for certain purposes.
- Require MCOLES annually to spend an amount from the Fund to cover its reasonable expenses for staff and for actual expenses incurred by Commission members.
- Require law enforcement agencies and grant recipients to report to MCOLES on expenditures of the funds received from the Fund.

- Require criminal justice in-service training courses to be registered through the MCOLES Information and Tracking Network.
- Specify that the MCOLES books, records, and accounts pertaining to the Fund could be subject to audit every five years.

The bill also would repeal a section requiring an audit every two years.

Senate Bill 412 is tie-barred to Senate Bill 411.

MCL 28.601 et al. (S.B. 411)  
18.421 et al. (S.B. 412)

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bills would have no fiscal impact on State or local government.

Date Completed: 6-17-13

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.